
**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLIONIS, EASTERN DIVISION**

In Re:)	
)	
JUANITA JAMES,)	NO. 15 B 15504
)	
Debtor.)	Chapter 13
)	
)	
)	Honorable Judge Eugene R. Wedoff

NOTICE OF MOTION

TO: Marilyn O. Marshall, electronically via ECF
All parties listed on the attached service list (via U.S. mail)

PLEASE TAKE NOTICE that on May 21, 2015, at 9:00 AM, the undersigned will appear before the Honorable Eugene R. Wedoff at the Everett McKinley Dirksen United States, located at 219 South Dearborn Street, Courtroom 744, Chicago, Illinois and will then and there present the attached **Motion to Extend Automatic Stay**, at which time you may appear if you so choose.

Certificate of Service

I, Nathan C. Volheim, hereby certify that I caused a copy of this notice to be served, via U.S. mail to all parties listed on the Attached Creditor List, electronically through ECF to Marilyn O. Marshall (Chapter 13 Trustee), and attached Motion upon the above parties on May 12, 2015 before the hour of 5:00 p.m. from the office located at 900 Jorie Blvd., Ste 150, Oak Brook, IL 60523.

BY: /S/ NATHAN C. VOLHEIM
SULAIMAN LAW GROUP, LTD.
COUNSEL FOR DEBTOR(S)
900 JORIE BOULEVARD, SUITE 150
OAK BROOK, IL 60523
PHONE: (630) 575-8181
FAX: (630) 575-8188
ATTORNEY NO: 6302103

Bank Of America, N.A. *
401 N. Tryon Street
NC1-021-02-20
Charlotte, NC 28255

Blackman Irving L
300 S. Riverside #660
Chicago, IL 60606

Blatt, Hasenmiller, Leibsker and Moore,
125 S. Wacker Drive, Suite 400
Chicago, IL 60606

Capital One, N.A. *
c/o American Infosource
P.O Box 54529
Oklahoma City, OK 73154

Capital One, N.A.*
1680 Capital One Drive
Mc Lean, VA 22102

Cook County Clerk
69 W. Washington, Suite 500
Chicago, IL 60602

Fisher and Shapiro, LLC
2121 Waukegan Road, Suite 301
Deerfield, IL 60015

HSBC
One HSBC Center
Buffalo, NY 14203

Juniper
PO Box 13337
Philadelphia, PA 19101

LVNV Funding LLC
15 South Main Street
Greenville, SC 29601

Merrick Bank
Po Box 5721
Hicksville, NY 11802

Midland Funding
8875 Aero Drive, Suite 200
San Diego, CA 92123

Ocwen Loan Servicing
1661 Worthington Road, Suite 100
West Palm Beach, FL 33409

Portfolio Recovery Associates LLC
PO Box 41067
Norfolk, VA 23541

Target
1000 Nicollet Mall
Minneapolis, MN 55403

Tribute
PO Box 105555
Atlanta, GA 30348

Wells Fargo Bank, N.A.
420 Montgomery Street
San Francisco, CA 94132

Wells Fargo Home Mortgage
8480 Stagecoach Circle
Frederick, MD 21701

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLIONIS, EASTERN DIVISION**

In Re:)	
)	
Juanita James,)	NO. 15 B 15504
)	
Debtor.)	Chapter 13
)	
)	
)	Honorable Judge Eugene R. Wedoff

DEBTOR'S MOTION TO EXTEND AUTOMATIC STAY

NOW COMES JUANITA JAMES ("Debtor"), by and through her attorneys, Sulaiman Law Group, LTD, and pursuant to 11 U.S.C. § 362(c)(3), bringing this Motion To Extend the Automatic Stay, and in support thereof, states as follows:

1. The instant bankruptcy proceeding was filed under Chapter 13 of the Bankruptcy Code on April 30, 2015.
2. The 341 Meeting of Creditors has been set for May 27, 2015.
3. Confirmation is currently set for June 25, 2015.
4. The Debtor filed a prior Chapter 13 case under case number 13-39097 ("prior case") on October 4 , 2013.
5. The prior case was dismissed on March 9, 2015 for failure to make plan payments.
6. Pursuant to 11 U.S.C 362(c)(3)(C)(i)(I), a case is presumptively filed in bad faith if more than one previous case under Chapters 7, 11, or 13 was dismissed within the preceding one year. However, the presumption may be rebutted by clear and convincing evidence if the Debtor, within 30 days of filing the later case, demonstrates the filing was in good faith.
7. When the Debtor filed her prior case, the vast majority of her income was based on rental income generated from the real property located at 7613 South Yates Boulevard, Chicago,

Illinois ("subject property"). *See* attached Exhibit A is a true and correct copy of the Debtor's Schedules I and J filed in the prior case.

8. The subject property, which is a six unit building, is not only the Debtor's primary source of income but also her primary residence.

9. Due to the loss of rental income, the Debtor fell behind on payments in her prior case. *See* attached Exhibit B¹ is a true and correct copy of an affidavit signed by the Debtor.

10. Since the dismissal of her prior case, the Debtor now has all units rented and is able to afford her monthly Trustee payments. *See* attached Exhibit C is a true and correct copy of the Debtor's Schedules I and J filed in the instant case.

11. The Debtor understands the importance of making timely Trustee payments and believes that she can do so with all apartments being fully rented. *See* Exhibit B.

12. The Debtor filed this instant bankruptcy in good faith to save her primary residence chief source of income and from being auctioned at a sheriff's sale.

13. The Debtor is filing the instant case in good faith and the plan is feasible.

WHEREFORE, Debtor, Juanita James, prays this Honorable Court for the following relief:

- A. Extending the automatic stay in full force to all creditors; and
- B. For such other and further relief this Court deems just and proper.

Dated :May 12, 2015

Respectfully Submitted,

/s/ Nathan C. Volheim
Nathan C. Volheim, Esq. #6302103
Counsel for Debtor
Sulaiman Law Group, LTD
900 Jorie Blvd, Ste 150
Oak Brook, IL 60523
Phone (630)575-8181
Fax: (630)575-8188

¹ The undersigned apologies in advance for the format and clarity of Exhibit B. Unfortunately, this is how the Debtor submitted the document and due to her age and lack of mobility it is difficult to get a better version.